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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 ROGELIO MAY RUIZ,

12 Plaintiff,

13 v.

14 ROJAS,

15 Defendant.
16

) Case No.: 1:22-cv-1345 JLT GSA (PC)

)

) ORDER ADOPTING FINDINGS AND

) RECOMMENDATIONS, DISMISSING THE

) ACTION WITHOUT PREJUDICE, AND

) DIRECTING THE CLERK OF COURT TO CLOSE

) THIS CASE

)

) (Doc. 21)

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17 Rogelio May Ruiz is a state prisoner proceeding *pro se* and *in forma pauperis* with this civil
18 rights action pursuant to 42 U.S.C. § 1983. The magistrate judge found Plaintiff failed to comply with
19 the Court’s order, which directed him to file a complaint written in the English language. (Doc. 21.)
20 In so ordering, the magistrate judge observed that “Plaintiff is no stranger to the federal courts,¹” and
21 has been repeatedly warned about the requirement to file his pleadings in English. (Doc. 16 at 5,
22 citations omitted.)

23 After Plaintiff failed to comply with the Court’s order, the magistrate judge recommended the
24 action be dismissed without prejudice. (Doc. 21.) The Court served the Findings and
25 Recommendations, and in it, notified him that any objections must be filed no later than August 4,
26 2023. (*Id.* at 3.) To date, Plaintiff has not filed objections, or filed an amended complaint in the
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28 ¹ Indeed, the Court’s review of the CM/ECF filing system reveals that Plaintiff has filed more than 30 cases in the Eastern District alone.

English language.

According to 28 U.S.C. § 636(b)(1)(B) and Local Rule 304, this Court has conducted a de novo review of this case. Having carefully reviewed the entire file, the Court finds the Findings and Recommendations to be supported by the record and proper analysis. Thus, the Court **ORDERS**:

1. The Findings and Recommendations issued by the Magistrate Judge on July 17, 2023 (Doc. 21) are **ADOPTED** in full.
2. This action is **DISMISSED**, without prejudice.
3. The Clerk of Court is directed to terminate any pending motions and deadlines and close this case.

IT IS SO ORDERED.

Dated: **August 20, 2023**


UNITED STATES DISTRICT JUDGE